

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

VERSUS

CRIMINAL NO. 1:04cr5WJG-JMR-2

JERALD LEE TOLER

AGREED ORDER REDUCING SENTENCE

THIS MATTER is before the Court on Defendant Jerald Lee Toler's motion [56] for sentence reduction file by the Federal Public Defenders office on Defendant's behalf. The Court considers this case pursuant to its authority under 18 U.S.C. § 3582(c)(2) and Federal Rule of Criminal Procedure 43(b)(4). The United States Sentencing Commission has reduced guideline offense levels for cocaine base cases, and has made the reductions retroactive to previously-sentenced defendants. The parties agree that a sentencing reduction is appropriate in this case. The Court therefore finds that Defendant's motion is well-taken and should be granted. It is therefore,

ORDERED AND ADJUDGED that Defendant's motion [56] for sentence reduction be, and is hereby, granted. It is further,

ORDERED AND ADJUDGED that Defendant Jerald Lee Toler's sentence be, and is hereby, reduced from 115 to 93 months. It is further,

ORDERED AND ADJUDGED that all other terms and provisions of the original judgment, (Ct. R., Doc. 44), remain unchanged and in full force and effect.

SO ORDERED AND ADJUDGED this the 1st day of May, 2008.

Walter J. Lee III
UNITED STATES SENIOR DISTRICT JUDGE

AGREED:

/s/ John A. Meynardie
ASSISTANT U.S. ATTORNEY

/s/ George L. Lucas
DEFENSE COUNSEL